

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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JASMINE OFRAY, as parent and Guardian  
of C.M., a minor,

Plaintiff,

v.

CITY OF ROCHESTER, ROCHESTER  
POLICE DEPARTMENT, and OFFICER  
MITCHELL LEACH,

Defendant.

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**DECISION AND ORDER**

6:24-CV-06170 EAW

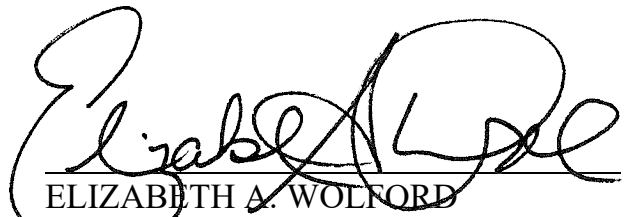
Pending before the Court is a Report and Recommendation issued by United States Magistrate Judge Colleen D. Holland, to whom this matter has been referred pursuant to 28 U.S.C. § 636(b)(1). (Dkt. 17). Judge Holland has recommended that the case be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute and because the unrepresented plaintiff asserts claims solely on behalf of her minor child. (*Id.* at 5). More than 14 days have passed since issuance of the Report and Recommendation and no objections have been filed.

A district court reviews any specific objections to a report and recommendation under a de novo standard. Fed. R. Civ. P. 72(b)(3); *see also* 28 U.S.C. § 636(b)(1)(C) (“A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.”). To trigger de novo review, objections must “specifically identify the portions of the proposed findings and recommendations to which objection is made and the basis for each objection.” L.R.

Civ. P. 72(b); *see, e.g., Molefe v. KLM Royal Dutch Airlines*, 602 F. Supp. 2d 485, 487 (S.D.N.Y. 2009). In the absence of a specific objection, the district court reviews for clear error or manifest injustice. *Singh v. N.Y. State Dep't of Taxation & Fin.*, 865 F. Supp. 2d 344, 348 (W.D.N.Y. 2011). Following review of the report and recommendation, the district judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).

The Court has reviewed the Report and Recommendation and finds no error—let alone clear error or manifest injustice. Accordingly, the undersigned adopts the Report and Recommendation in its entirety and the case is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b). In addition, upon review of the docket it is apparent that Plaintiff’s counsel filed documents without redacting the minor child’s name as required by Federal Rule of Civil Procedure 5.2(a)(3). Given the procedural status of the case, the Court directs that the Clerk of Court restrict access to the parties only of the documents filed at Docket numbers 1, 5, 7, 8, 9, 10, 11, and 12.

SO ORDERED.



ELIZABETH A. WOLFORD  
Chief Judge  
United States District Court

Dated: May 16, 2025  
Rochester, New York